



Area 9 Cable Council, c/o Wilton Town Hall, 238 Danbury Rd., Wilton, CT 06897

To: Connecticut General Assembly Energy & Technology Committee

From: Hal Levy, Chair, Area 9 Cable Council

Re: **Support for House Bill No. 5473**—An Act Concerning Public Access Operations and the Periodic Review of Video Providers.

Date: March 12, 2012

Ladies and Gentlemen of the Committee:

The Area 9 Cable Council (A9CC), which is the regional Cable Advisory Council for Cablevision of Connecticut with 124,000 subscribers in the ten towns of southwestern Fairfield County, supports RHB 5473.

Throughout its 30-year history, our council has worked to ensure quality of service for the subscribers and communities we represent and support for town-specific community access television, through cooperation with the area's designated community access provider, Cablevision of CT. We have been a party in three cable franchising dockets for Cablevision and, therefore, are very knowledgeable about the process of performance review by the former DPUC and its positive affect on video service quality.

In 2006, the Connecticut legislature created two new video service licenses in order to promote competition in the video service industry and benefit consumers. A9CC participated in these proceedings and supported the "level playing field" doctrine. We also argued for the preservation of performance standards for service providers who utilize public rights of way to deliver their products. Specifically, our concerns were customer service, community access support, management of outages, service to handicapped and low-income customers, and cooperation with the state's regulatory agency. Therefore, passage of HB 5473, which will establish a performance review by the PURA, will create the process necessary to preserve quality service in the aforementioned areas.

Two years ago, when the Energy and Technology Committee considered a similar proposal, there was resistance by AT&T to any regulation of its video service product. Aware of the public's desire to have competitive choice for a video service provider, the company has, on more than one occasion, threatened to pull out of the state if certain regulations were legislatively placed on its service. We believe that performance review is responsible and universally accepted in this industry where service companies use the public rights of way. We also believe that, in today's market, telecommunications companies must be able to offer video in addition to telephone and data service to its customers in order to survive. Therefore, we question the veracity of those threats to withdraw from the State.

**The A9CC also supports Section 2 of this bill.** Section 2 would allow municipalities in Area 9, through an agreement with Cablevision of Connecticut, to use community access funds, as outlined in Connecticut General Statutes 16-331a, for production and staff costs for operating their town-specific government channels. Currently, municipalities in lower Fairfield County are officially allowed to use community access funds only for the equipment and infrastructure required to operate their education and government channels. However, several other community access providers across the state already use subscriber fees—community access



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funds—to support a variety of expenses, including staffing and production costs. To deny the same option to Area 9 town-specific channels is inequitable and places towns at a disadvantage. All of these channels operate on shoestring budgets, usually struggling with volunteer staff and limited municipal support. Production, staff, and public outreach expenses are valid uses of public, educational, and governmental access funds.

The 10 towns represented by the Area 9 Cable Council have been fortunate to have had discrete, town-specific, community access TV channels provided by our incumbent cable provider, Cablevision of Connecticut, since 1997. In the spirit of supporting open government and assisting local municipalities in providing the best community access programming for their citizens, we urge the E & T Committee to support this bill.